

Software Acceptable General Use Standard

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1.0 Purpose

US copyright laws require Health and Human Services System (HHSS) not permit any employee to use software in any manner inconsistent with the applicable license agreement, including giving or receiving software or fonts from clients, contractors, customers and others.

It is illegal to install or use copyrighted software on HHSS IT resources that is not authorized and purchased by HHSS.

This standard defines HHSS official position on acquisition, installation, and use of licensed software on HHSS owned and supported assets, and procedures necessary to insure compliance with copyright laws and license agreements.

2.0 Scope

This standard applies to employees, contractors, consultants, temporary employees, and other workers employed by HHSS. This standard applies to all HHSS and State IT resources owned, leased, or supported by HHSS including servers, desktop computers, workstations, PDAs, wireless devices, routers, switches, hubs, laptop computers, and home computers used exclusively for HHSS work activity.

3.0 Standard

This standard provides guidelines for compliance to the Software Acceptable Use Policy No. HHSS 2004-004.

- 3.1 **Budgeting for Software** - When acquiring computer hardware, software and training, HHSS must budget accordingly to meet the costs at the time of acquisition. When purchasing software for existing computers (owned or supported by HHSS), HHSS must charge the purchases to the department's budget for information technology or an appropriate budget set aside for tracking software purchases.
- 3.2 **Acquisition of Software** - All software acquired by HHSS must be purchased through the Information System & Technology (IS&T a division of Finance and Support) Procurement Section. Software may not be purchased through user corporate credit cards, petty cash, travel or entertainment budgets. Software acquisition channels are restricted to ensure that HHSS has a complete record of all software that has been purchased for HHSS computers and can register, support, and upgrade such software accordingly. This includes software that may be downloaded and/or purchased from the Internet.
- 3.3 **Registration of Software** – For any software installed on IT resources owned or supported by IS&T, proof of ownership must be verified and registered with the IS&T Procurement Section. IS&T Procurement Section will maintain a register of all HHSS installed software and will keep a library of software licenses. The register must contain:
 - the date and source of software acquisition
 - the existence and location of back-up copies
 - the title and publisher of the software
 - the software product's serial number

All software received by HHSS must be routed to IS&T Procurement Section. IS&T Procurement Section must complete the software registration and inventory requirements before any distribution or installation of the software can take place. In the event the software is shrink-wrapped, the designated

department is responsible for completing the registration card and returning it to the software publisher. Software must be registered in the name of HHSS and the department in which it will be used. Due to personnel turnover, software will never be registered in the name of the individual user.

- 3.4 **Installation of Software** – Only software approved and registered by IS&T may be installed on any HHSS IT resources owned or supported by HHSS. Only IS&T staff may authorize installation, modification, or updates to software installed on any IT resources owned or supported by HHSS. After the registration requirements above have been met, the software will be installed by IS&T. Once installed, the original media will be kept in a safe storage area maintained by IS&T Procurement Section. User manuals, if provided, will either reside with the user or reside with the software manager.
- 3.5 **Home Computers** - HHSS computers are organization-owned IT resources and must be kept both software legal and virus free. Only software purchased through the procedures outlined above may be used on HHSS IT resources.. Users are not permitted to bring software from home and load it onto HHSS computers. Generally, organization-owned software cannot be taken home and loaded on a user's home computer if it also resides on a HHSS computer. If a user is to use software at home, HHSS will purchase a separate package and record it as an organization-owned asset in the software register. However, some software companies provide in their license agreements that home use is permitted under certain circumstances. If a user needs to use software at home, he/she should consult with the software manager or designated department to determine if appropriate licenses permit home use.
- 3.6 **Shareware** - Shareware software is copyrighted software that is distributed via the Internet. It is the policy of HHSS to pay shareware authors the fee they specify for use of their products. Under this policy, acquisition and registration of shareware products will be handled the same way as for commercial software products.

4.0 Enforcement

Penalties and Reprimands - According to the US Copyright Act, illegal reproduction of software is subject to civil damages of as much as US\$100,000 per title infringed, and criminal penalties, including fines of as much as US\$250,000 per title infringed and imprisonment of up to five years. An HHSS user who makes, acquires, or uses unauthorized copies of software may be subject to disciplinary action as defined in the governing policy HHSS 2004-004.

5.0 Revision History

HR Legal – 3/12/2004

CCT Approval – 05/27/2004